



Sen. Laura M. Murphy

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10200HB5283sam001

LRB102 25955 AWJ 37964 a

1 AMENDMENT TO HOUSE BILL 5283

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5283 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Local Library Act is amended by  
5 changing Section 4-4 as follows:

6 (75 ILCS 5/4-4) (from Ch. 81, par. 4-4)

7 Sec. 4-4. Vacancies shall be declared in the office of  
8 trustee by the board when the elected or appointed trustee  
9 declines or is unable to serve, or is absent without cause from  
10 all regular board meetings for a period of one year, or is  
11 convicted of a misdemeanor for failing, neglecting, or  
12 refusing to discharge any duty imposed upon a trustee by this  
13 Act, or becomes a nonresident of the city, village,  
14 incorporated town, or township, or who fails to pay the  
15 library taxes levied by the corporate authorities. Vacancies  
16 shall also be declared in the office of trustee by the board

1 when, at the election of the first board of library trustees or  
2 at any subsequent election, there are not sufficient trustees  
3 elected to fill an entire board of 7 trustees.

4 Vacancies in the board of trustees in a city or a village  
5 under the commission form of government shall be reported to  
6 the mayor or president and be filled in like manner as original  
7 appointments.

8 If a vacancy occurs in the board of trustees in any  
9 incorporated town or village (other than a village under the  
10 commission form of government) or in any township, the vacancy  
11 may be filled by the remaining trustees until the next regular  
12 library election at which library trustees are scheduled to be  
13 elected under the consolidated schedule of elections in the  
14 general election law, at which election a trustee shall be  
15 elected to fill the vacancy for the remainder of the unexpired  
16 term. If, however, the vacancy occurs with less than 28 months  
17 remaining in the term, and if the vacancy occurs less than 88  
18 days before the next regular scheduled election for this  
19 office, then the person so appointed shall serve the remainder  
20 of the unexpired term, and no election to fill the vacancy  
21 shall be held. If there is a failure to appoint a library  
22 trustee or a failure to elect a library trustee, or if the  
23 person elected or appointed fails to qualify for office, the  
24 trustee may continue in office if available and qualified  
25 until his successor has been elected or appointed and  
26 qualified. Vacancies shall be filled within 90 days after a

1 vacancy has been declared ~~forthwith~~.

2 (Source: P.A. 87-424.)

3 Section 10. The Public Library District Act of 1991 is  
4 amended by changing Sections 30-25 and 30-40 as follows:

5 (75 ILCS 16/30-25)

6 Sec. 30-25. Vacancies.

7 (a) Vacancies shall be declared in the office of trustee  
8 by the board when an elected or appointed trustee (i)  
9 declines, fails, or is unable to serve, (ii) becomes a  
10 nonresident of the district, (iii) is convicted of a  
11 misdemeanor by failing, neglecting, or refusing to discharge  
12 any duty imposed upon him or her by this Act, or (iv) has  
13 failed to pay the library taxes levied by the district.  
14 Absence without cause from all regular board meetings for a  
15 period of one year shall be a basis for declaring a vacancy.

16 (b) All vacancies shall be filled by appointment by the  
17 remaining trustees until the next regular library election, at  
18 which time a trustee shall be elected for the remainder of the  
19 unexpired term. If, however, the vacancy occurs with less than  
20 28 months remaining in the term, and if the vacancy occurs less  
21 than 88 days before the next regular scheduled election for  
22 this office, then the person so appointed shall serve the  
23 remainder of the unexpired term and no election to fill the  
24 vacancy shall be held. If the vacancy is in the office of a

1 trustee of a library district with an appointed board, the  
2 vacancy shall be filled by appointment by the remaining  
3 trustees. Vacancies shall be filled within 90 days after a  
4 vacancy has been declared ~~forthwith~~.

5 (Source: P.A. 87-1277.)

6 (75 ILCS 16/30-40)

7 Sec. 30-40. Organization of board; qualification and oath  
8 of trustees.

9 (a) Within 74 days after their election or appointment,  
10 the incumbent and new trustees shall take their oath of office  
11 as prescribed by law and meet to organize the board.

12 (b) The first action taken at the meeting shall be the  
13 election of a president, a vice-president, a secretary, and a  
14 treasurer from among the trustees. The secretary shall then  
15 record the membership of the board. The board may, instead of  
16 electing a treasurer from among the trustees, by majority vote  
17 of the board, appoint and fix the compensation of a qualified  
18 treasurer that is not a trustee of the board.

19 (c) Trustees duly elected or appointed as certified by the  
20 appropriate election authority or appointing authority shall  
21 be qualified to serve as trustees under this Act. The required  
22 oath shall be taken and subscribed before a notary public or  
23 the secretary of the board.

24 (d) Within 60 days after the organization of the board,  
25 the secretary shall file, with the county clerk of the county

1 containing all or a larger portion of the district and with the  
2 Illinois State Librarian, a statement listing the names and  
3 addresses of the trustees and officers and their respective  
4 terms in office. The secretary shall report a vacancy on the  
5 board to the county clerk and the State Librarian within 60  
6 days after it occurs and shall report the filling of a vacancy  
7 within 60 days after it is filled.

8 (e) The first officers shall serve until the next regular  
9 election of trustees. Thereafter, officers shall serve for  
10 terms set by ordinance but not to exceed 2 years, ending on the  
11 third Monday of the month following each regular election or  
12 until their successors are duly elected by the board. A  
13 vacancy in any office shall be filled by the board for the  
14 unexpired term.

15 (Source: P.A. 93-847, eff. 7-30-04.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."